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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1888 OF 2007

Bhagwandas Laxmichand Shah & Ors. ... Petitioners

Versus

Union of Inda and Ors. .... Respondents

Mr.D.B. Shroff, Sr. Counsel i/by Tejpall & <Co. for Petitioner.

Mr. P.S. Jetly with Mr. Parag Vyas for Respondents.

**CORAM: F.I. REBELLO &**
**J.P. DEVADHAR, JJ.**
**DATED: OCTOBER 25, 2007**

**P.C.**

. The Petitioners have approached this court contending that the order of attachment in respect of the subject property is illegal considering that the suit property does not belong to the partnership against whom the respondents are claiming certain dues.

. Having heard the learned counsel for the parties, in our opinion, considering the rival contentions, it will be appropriate for the Petitioners herein to file competent civil suit or any other proceedings to seek declaration as to the ownership right and title in the property. However, to protect the interest of the Petitioners, though the attachment

will continue,the respondents not to proceed to dispose of the property for the period of three months from today to enable the Petitioners to take appropriate relief from the appropriate civil court or appropriate court.

. With the above observations, Petition disposed of.

**(J.P. DEVADHAR, J.)** **(F.I. REBELLO, J.)**